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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,038	02/01/2000	Masahiro Kato	914-108	5618
23117	7590	02/24/2005	EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			BEAMER, TEMICA M	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/496,038

Applicant(s)

KATO

Examiner

Temica M. Beamer

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-20 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 21-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4 and 21-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 21, 23, 24 and 26-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kirisawa, U.S. Patent No. 6,144,259.

Regarding claims 1, 21 and 26, Kirisawa discloses a satellite broadcasting receiver receiving a signal radio wave from a broadcasting satellite (col. 1, lines 6-12), comprising: first to nth (where n is an integer equal to or larger than 2) amplifiers (3 and 6) respectively amplifying first to nth signals extracted from said signal radio wave from the respective broadcasting satellites (col. 5, lines 15-39); a connection node supplied with outputs from said first to nth amplifiers (figure 1); and a power supply control circuit (5) controlling said first to nth amplifiers to set a current flowing through one of said first

Art Unit: 2681

to nth amplifiers at a prescribed value and set currents flowing through all the other amplifiers at 0 such that an output from said one amplifier is transmitted through said connection node (col. 5, lines 32-39, col. 6, lines 30-48).

Regarding claims 2, 23 and 27, Kirisawa discloses the satellite broadcasting receiver further comprising a (n+1)th amplifier for amplifying an output transmitted from said connection node (col. 5, lines 39-62, col. 6, lines 65-67).

Regarding claims 3, 24 and 28, Kirisawa discloses the satellite broadcasting receiver according to claim 2, wherein each of said first to (n+1)th amplifiers includes a high electron mobility transistor (col. 5, lines 41-45).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirisawa.

Regarding claims 4, 25 and 29, Kirisawa discloses the satellite broadcasting receiver as described above. Kirisawa, however, fails to disclose a frequency converting circuit converting an output from said (n+1)th amplifier to an intermediate frequency signal.

Art Unit: 2681

The examiner contends, however, that use of frequency converters are very well known in the art and the examiner takes official notice as such.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Kirisawa with the teachings of well known prior art in order to make the processing of the signal easier.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kirisawa in view of Tweedy et al (Tweedy), U.S. Patent No. 6,597,670.

Regarding claim 22, Kirisawa discloses the satellite broadcasting receiver according to claim 21 as described above. Kirisawa, however, fails to disclose wherein one of the first to nth signals comprises a horizontal polarization component of the signal radio wave and another of the first to nth signals comprises a vertical polarization component of the signal radio wave.

Tweedy discloses this limitation (col. 3, lines 56-64).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Kirisawa with the teachings Tweedy since it is known that such configuration is known to reduce interference.

Allowable Subject Matter

7. Claims 5-20 are allowed (for reasons previously indicated).


Art Unit: 2681

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (703) 306-0003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Temica M. Beamer
Primary Examiner
Art Unit 2681

2/22/2005